

**ZONING COMMITTEE
MINUTES
WEDNESDAY, NOVEMBER 28, 2012**

The regularly scheduled meeting of the Zoning Committee was held on **Wednesday, November 28, 2012** in Committee Room #2, at 9:35 a.m.

The following members were present:

**The Honorable Alex Wan, Chair
The Honorable Keisha Lance Bottoms, Vice Chair
The Honorable Carla Smith
The Honorable Howard Shook
The Honorable Aaron Watson**

The following members were absent:

**The Honorable H. Lamar Willis
The Honorable Ivory Lee Young, Jr.**

Others present at the meeting were: Charletta Wilson-Jacks, Zoning Administrator; Department of Planning and Community Development; City Attorneys Lem Ward and Jeffery Haymore, Law Department and members of the public and Council staff.

A. ADOPTION OF AGENDA - ADOPTED

B. APPROVAL OF MINUTES - APPROVED

CONSENT AGENDA

C. ORDINANCES FOR FIRST READING

12-O-1748 (1) An Ordinance by Zoning Committee to amend Ordinance 02-O-0474 (Z-02-10) that rezoned property from the R-4 (Single Family Residential) District to the PD-H (Planned Development-Housing) District, property located at **2259 Cottage Grove Avenue, SE, (original subject parcel)** fronting 203.27 feet on the southerly side of Cottage Grove Avenue beginning at the southeast corner of East Lake Terrace. beginning at the southeast corner of East Lake Terrace.

Depth: Approximately 412.21 Feet

Area: Approximately 1.82 Acres

Land Lot: 205, 15th District, Dekalb County, Georgia

Owner: Kevin W. Burke and Cynthia Killam-Burke

Applicant: Kevin W. Burke

NPU-O Council District 5

FAVORABLE - TO BE REFERRED TO ZRB AND ZONING COMMITTEE

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C. ORDINANCES FOR FIRST READING (CONT'D)

12-O-1749 (2) An Ordinance by Zoning Committee to rezone from the C-1-C
Z-12-44/ (Community Business-Conditional) District to the C-1-C
Z-06-09 (Community Business-Conditional) District, property located
at **1989 College Avenue, NE** for the purposes of a Site Plan
Amendment.

Depth: Varies
Area: Approximately 1.08 Acres
Land Lot: 211, 15th District, Dekalb County, Georgia
Owner: Big Nerd Ranch Properties, LLC
Applicant: Eric Kronberg

NPU-O

Council District 5

**FAVORABLE – TO BE REFERRED TO ZRB AND ZONING
COMMITTEE**

12-O-1750 (3) An Ordinance by Zoning Committee to rezone from the R-3A
Z-12-45 (Single Family Residential) District to the PDH-(Planned
Development-Housing), property located at **1990 Brookview
Drive, NW** fronting approximately 75 feet on the north side
of Brookview Drive, beginning approximately 576 feet from
the southeastern corner of Kipling Drive.

Depth: Varies
Area: 1.78 Acres
Land Lot: 153, 17th District, Fulton County, Georgia
Owner: Bonnie Creech
Applicant: J. Nzal Creech

NPU-C

Council District 8

**FAVORABLE – TO BE REFERRED TO ZRB AND ZONING
COMMITTEE**

D. ORDINANCE FOR SECOND READING

12-O-1743 (1) An Ordinance by Council Members Michael Julian Bond, Aaron
Watson, and H. Lamar Willis to amend Section 16-28A.010(12) of
the Sign Ordinance of the City of Atlanta Regulating Signs in the
Downtown Special Public Interest Zoning District (SPI-1), so as to

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D. ORDINANCE FOR SECOND READING (CONT'D)

modify and revise certain provisions of said section; and for other purposes.

FAVORABLE - TO BE REFERRED TO ZRB AND ZONING COMMITTEE

E ZRB SUMMARY REPORT

F. PAPERS HELD IN COMMITTEE

10-O-0013 (1)
Z-07-113 An Ordinance by Councilmember Aaron Watson **as substituted and amended by Zoning Committee** to rezone from the I-1-C (Light Industrial-Conditional) District to the MRC-3 (Mixed Residential Commercial) District, property located at **430 and 460 Englewood Avenue, SE**, fronting approximately 678 feet on the north side of Englewood Avenue beginning approximately 132 feet from the northeast corner of Mailing Avenue. **(Substituted as amended and held 1/13/10 at the request of the District Councilmember)**

Depth: Approximately 1,010 Feet

Area: Approximately 10.32 Acres

Land Lot: 42, 14th District, Fulton County, Georgia

Owner: JWGST LLC/Joseph Wiles

Applicant: Jason Fritz

NPU-Y

Council District 1

HELD

11-O-0533 (2)
Z-11-12 An Ordinance by Councilmember Natalyn Mosby Archibong **as substituted (#2) by Zoning Committee** to amend Section 16-32B of the 1982 Zoning Ordinance of the City of Atlanta by amending the existing NC-2 East Atlanta Village Business Neighborhood Commercial District; and for other purposes. **(Substituted and held 6/13/12)**

HELD

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F. PAPERS HELD IN COMMITTEE (CONT'D)

11-O-0692 (3)
U-11-16 An **Amended** Ordinance by Zoning Committee granting a Special Use Permit pursuant to Section 16-28.023 (2)(c)(3) and Section 16-28.027 (3)(c) of the City of Atlanta Zoning Ordinance for a Transfer of Excess Development Rights. Said use is granted to Atlanta BeltLine, Inc. (Recipient Parcel) its successors, assigns and all subsequent owners and are to be transferred from the **544 North Angier Avenue, NE (Donor Parcel)**. **(Referred back by Full Council 7/18/11) (Amended and held 7/27/11)**

HELD

11-O-0693 (4)
U-11-17 An **Amended** Ordinance by Zoning Committee granting a Special Use Permit pursuant to Section 16-28.023(2)(c)(3) and Section 16-28.027 (3)(c) of the City of Atlanta Zoning Ordinance for a Transfer of Excess Development Rights. Said use is granted to Atlanta BeltLine, Inc. (Recipient Parcel) its successors, assigns and all subsequent owners and are to be transferred from **641 (C 665) North Avenue, NE (Perlman Tract) (Donor Parcel)**. **(Referred back by Full Council 7/18/11) (Amended and held 7/27/11)**

HELD

11-O-0824 (5) An Ordinance by Zoning Committee to amend Section 6-4028 and to create Section 6-4028.1 of the Land Development Code, Part III of the Code of Ordinances, so as to change the Deferral Fee for Variance and Special Exception Applications before the Board of Zoning Adjustment to a flat fee for each instance that the Board grants an applicant's request for deferral to a subsequent public hearing on the application; and for other purposes. **(Held 6/15/11) (Public Hearing held 5/2/12)**

HELD

11-O-0857 (6)
U-11-18 An **Amended** Ordinance by Zoning Committee granting a Special Use Permit pursuant to Section 16-28.023 (2)(c)(3) and Section 16-28.027 (3)(c) of the City of Atlanta Zoning Ordinance for a Transfer of Excess Development Rights. Said use is granted to Atlanta BeltLine, Inc., (Recipient Parcel) its successors, assigns and all subsequent owners and are to be transferred from **690 Morgan Street, NE**, (a.k.a. 0 North Avenue Tax Parcel)

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F. PAPERS HELD IN COMMITTEE (CONT'D)

Identification 14-0018-0001-026-5), (**Donor Parcel**).
(**Referred back by Full Council 7/18/11**) (**Held 7/27/11**)

HELD

12-O-1149 (7) An Ordinance by Councilmember Carla Smith to rezone certain properties within the Moreland Avenue livable Centers Initiative Study NPU-W from Various Districts to Various Districts to implement the Moreland Avenue LCI Study.

HELD

LINK TO ZRB PENDING LEGISLATION

<http://citycouncil.atlantaga.gov/2011/pendingzrb.htm>

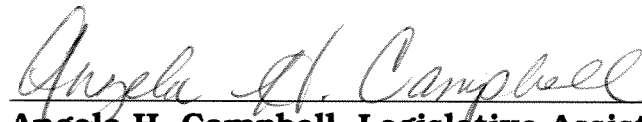
SUMMARY REPORT
November 28, 2012

LEGISLATION NUMBER	ZONING NUMBER	LOCATION (NPU/CD)	CHANGE	STAFF RECOMM	NPU RECOMM	ZRB RECOMM
<u>FAVORABLE</u> <u>AS AMENDED</u>						
12-O-1152	U-12-17	1850 Howell Mill Road, N.W., (17-01530011084) and properties noted with the following parcel numbers 17-01530011063, 17-01530011072, 17-01530011083, 17-01530011004, 17-01530011005, 17-01530010040 and 17-0153001 C-8	Special Use Permit for outdoor displays or sales areas or outdoor areas of 90 days or more duration	Approval Conditional	Approval	Approval Conditional
Councilmember Smith made a motion to approve as amended. The vote was unanimous.						
12-O-1154	Z-12-28	77 East Andrews Drive, N.E. (aka 3300-Roswell Road frontage) B-8	RG-3 to SPI-9 Subarea 2-C	Approval	Approval Conditional	Approval Conditional
Councilmember Smith made a motion to approve as amended. The vote was unanimous.						
12-O-1155	Z-12-29	77 East Andrews Drive, N.E. (aka 3300-West Paces frontage) B-8	RG-3 to SPI-9 Subarea 2-C	Approval	Approval Conditional	Approval Conditional
Councilmember Smith made a motion to approve as amended. The vote was unanimous.						
12-O-1327	U-12-19	1313 Sylvan Road, N.W. X-12	Special Use Permit for a Processing Operation Facility	Approval Conditional	Approval	Approval Conditional
Councilmember Smith made a motion to approve as amended. The vote was unanimous.						
<u>FAVORABLE</u>						
12-O-1156	Z-12-30	0 Reynolds Drive, S.E. Z-12	C-1 to I-1	Denial	Approval Conditional	Denial
Councilmember Smith made a motion to approve as amended. The vote was unanimous.						

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There being no further business to come before the Zoning Committee the meeting was adjourned at 9:45 a.m.

Respectfully submitted:



Angela H. Campbell, Legislative Assistant



Steve Tam, Research & Policy Analyst



The Honorable Alex Wan, Chair